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SCHULTE ROTH & ZABEL LLP  
ATTN: JOEL E. LUTZKER  
919 THIRD AVENUE  
NEW YORK, NY 10022

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**DEC 07 2006**

**OFFICE OF PETITIONS**

In re Application of Yajima :  
Application No. 10/671,310 : Decision on Petition  
Filing Date: September 25, 2003 :  
Attorney Docket No. 848075/0057 :

This is a decision on the petition under 37 CFR 1.181, filed August 17, 2006, to withdraw the holding of abandonment.

The petition is **granted**.

A final Office action was mailed February 3, 2006.

As of August 10, 2006, a reply had not been matched with the file. As a result, a Notice of Abandonment was mailed August 10, 2006.

Petitioner contends a Notice of Appeal was timely filed.

A review of the file indicates a Notice of Appeal and request for a three-month extension of time have been matched with the file. Both papers were filed August 3, 2006. Therefore, the application is not abandoned.

The Notice of Abandonment is hereby vacated and the holding of abandonment withdrawn.

**The Notice of Appeal filed August 17, 2006, has been entered and made of record. Accordingly, the 2-month period for filing the appeal brief, in triplicate, accompanied by the fee required by law, runs from the date of this decision.**

Technology Center Art Unit 2617 will be informed of the instant decision and will take further action upon petitioner filing an Appeal Brief or Request for Continued Examination.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Steven Brantley at (571) 272-3203.

Charles Steven Brantley  
Senior Petitions Attorney  
Office of Petitions